

JAN 30 2006

BARDMESSER LAW GROUP

Fax

☐ Urgent☒ Return reply requested☐ Original will be sent as confirmationTo: United States Patent and
Trademark Office

Date: January 30, 2006

Attention: Mail Stop Amendment

Re: U.S. Utility Patent Application

Application No.: 10/729,365; Filed: December 8, 2003

For: System, Method and Computer Program Product
for Multi-Level File-Sharing by Concurrent Users

From: George S. Bardmesser

Inventors: Belousov *et al.*

Pages (including cover sheet): 9

Fax No: 571-273-8300

Our Reference: 2230.0030003

Message

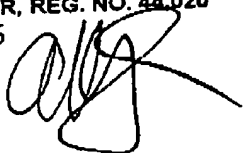
1. Cover Letter;
2. Information Disclosure Statement; and
3. Form PTO/SB/08A listing three (3) cited documents.

Certification of Facsimile Transmision

I hereby certify that this paper is being facsimile transmitted
to the Patent and Trademark Office on the date shown below.

GEORGE S. BARDMESSER, REG. NO. 44,020

Date: January 30, 2006



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BARDMESSER LAW GROUP: 910 17th Street, N.W., Suite 800, Washington, DC 20006: 202.293.1191 / 202.318.0723; www.bardmesserlaw.com

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January 30, 2006

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop Amendment
Via Facsimile

Re: U.S. Utility Patent Application
Application No.: 10/729,365; Filed: December 8, 2003
For: **System, Method and Computer Program Product for Multi-Level
File-Sharing by Concurrent Users**
Inventors: Belousov *et al.*
Our Ref: 2230.0030003

Sir:

Transmitted herewith for appropriate action by facsimile are the following documents:

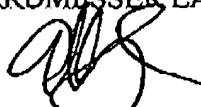
1. Information Disclosure Statement;
2. Form PTO/SB/08A listing three (3) documents.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-3523.

Respectfully submitted,

BARDMESSER LAW GROUP



George S. Bardmesser
Attorney for Applicants
Registration No. 44,020

GSB
Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BELOUSSOV *et al.*

Appl. No.: 10/729,365

Filed: December 8, 2003

Confirmation No.: 8243

Art Unit: 2171

Examiner: To Be Assigned

Atty. Docket: 2230.0030003

**For: System, Method and Computer Program
Product for Multi-Level File-Sharing by
Concurrent Users****Information Disclosure Statement***Mail Stop Amendment*Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not

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BELOUSSOV *et al.*
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be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

Atty. Dkt. No. 2230.0030003

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☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).

Atty. Dkt. No. 2230.0030003

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Appl. No. 10/729,365

- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is

Atty. Dkt. No. 2230.0030003

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Appl. No. 10/729,365

provided in satisfaction of the requirement for a concise explanation of relevance.
1138 OG 37, 38.

- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- ☒ 7. In accordance with 37 C.F.R. § 1.98(b)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☒ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). _____ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-3523.

Atty. Dkt. No. 2230.0030003

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BELOUSSOV *et al.*
Appl. No. 10/729,365

Respectfully submitted,

BARDMESSER LAW GROUP



George S. Bardmesser
Attorney for Applicants
Registration No. 44,020

Date: January 30, 2006
910 17th Street, N.W.
Suite 800
Washington, D.C. 20006
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Atty. Dkt. No. 2230.0030003

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PTO/SB/UBA (04-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitution for form 1448/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known Application Number: 10/729,365 Filing Date: December 8, 2003 First Named Inventor: BELOUSSOV Art Unit: 2171 Examiner Name: To Be Assigned Attorney Docket Number: 2230 0030003			
Sheet	1	of	1				

[illegible][illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.